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# TRANSMITTAL FORM

Application Number

10/604,360

(to be used for all correspondence after initial filing)

Filing Date 14 July 2003

First Named Inventor Yechezkal Evan Spero

Art Unit 2875

Examiner Name Bao Q Truong

Total Number of Pages in This Submission **42**

Attorney Docket Number

## ENCLOSURES (Check all that apply)

Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences
X Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
X After Final	Petition to Convert to a Provisional Application	Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter
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Remarks

Correction to Amendment

Reply to Missing Parts/  
Incomplete Application  
Reply to Missing Parts  
under 37 CFR 1.62 or 1.63

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Yechezkal Evan Spero

Signature *[Signature]*

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Date: Jan 17, 2007

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**In the United States Patent and Trademark Office****Application/CN:** 10/604,360**Date:** January 17, 2007**Application Filed:** 14 July 2003**Applicant:** Spero, Yechezkal Evan**Title:** Multiple Light-Source Illuminating System**Examiner:** Bao Q. Truong**Art Unit:** 2875

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**Reply to Office Action dated October 17, '06  
Amendment D**

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Commissioner for Patents  
Washington DC

Sir:

**Elections/Restrictions:**

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***In reply to point 1- Elections/Restrictions:: Newly submitted claims 38 and 39 directed...***

The applicant submits that that claims 38 and 39 are not directed to a new invention but are actually sub cases of the originally claimed invention. The basis of the invention is the use of multiple light sources to provide lighting according to the principles of correct lighting practice by arranging the light sources on the illuminating device such that their spatial light distributions will combine to produce the required illumination. The equal light distribution case of Claim 38 is a most simple case of controlled illumination per original Claim 1 and amended Claim 36. Claim 1 stated: "*d) said directionality effects the mixing, adding and distribution of emanating light such that said controlled illumination is a product of said independent light sources, whereby a new, more useful illuminating characteristic differing in its intensity, intensity spatial distribution and spectral composition has been created.*" The even light distribution qualifies as a "more useful illuminating characteristic" and is also clearly described as being an attainable result of the apparatus shown in Fig 2A and described in paragraph [00115] of the specification: "*[0115] In order to assure an even distribution of light from a point source over an area, it is necessary to take the effects of the angle and distance to the illuminated surfaces into account as stated in the inverse square law. Often a "batwing"*"

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*type of candlepower light distribution is used.*" Note a batwing light distribution will provide "uniform illumination over the surfaces at a certain height within the living space.

As for Claim 39: according to the teachings of the present invention the unequal light distribution of Claim 39, with both task and general lighting being provided, is another case of controlled illumination effected by the same apparatus illustrated in Fig 2A and described in paragraph [0113]: "[0113] In another embodiment SLS, which perform an equivalent to a task light function with a very narrow beam, are combined with SLS performing a general background lighting function in one fixture. While general lighting recommendations in an office call for the provision of 300 to 500 lux over the working plane, specific task lighting, for example where copy work is to be illuminated by auxiliary lighting, 1,000 lux is required. To this end a section 29, containing SLS on the DLF, provides a narrow beam of higher intensity, to provide added light flux to the working surface."

The applicant thus submits that dependant claims 38 and 39 are actually at the very heart of the capability of the technology taught in this novel and unobvious invention which allows for a luminaire's light distribution pattern to provide different or similar illumination to equidistant and non-equidistant surfaces in a lighting environment simply by use of the multiplicity of the light sources to generate the required light distribution without recourse to additional reflectors, shades or lenses. The Applicant submits that the subject matter of Claims 38 and 39 are part of Species I and II and is connected in design, operation and effect and therefore requests that the "withdrawal from consideration" of these claims be reversed.

### **Amendments Under Rule 116**

***In reply to point 2 – Claim Objections:*** Claims 36, 37 and 44-45 are objected to because of the following informalities... Claim 36, there is ... Claim 37, limitations are

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*repeated Claim 44, here is a lack.. Claim 45, all elements of a Markush.. Correction is required:*

**The applicant requests that the above claims be amended as follows in new claims 50, 51 and 62.**

Claim 36 now claim 50, Claim 37 now claim 51, Claim 44 has been withdrawn.

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***In reply to point 3 & 4 – Claim Rejections 35USC §112: The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention. – Claims 42 and 44-46***

***The applicant has revised the narrative form and functional language and requests that the above claims now be amended as in new claims 60, 62 and 63 to place the case in condition for allowance.***

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***In reply to point 5 & 8 – Claim Rejections 35USC §102: Claims 36, 37, 40-45 and 47-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Vukosic. [US 6,483,439].***

**The applicant requests that the above claims be amended as follows in new claims 50, 51, 52, 60, 61, 62 and 64, 68 and 69.**

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Claim 36 now claim 50, Claim 37 now claim 51, Claim 40 now claim 50, Claim 41 has been withdrawn, Claim 42 now claim 60, Claim 43 now claim 61, Claim 44 has been withdrawn, Claim 45 now claim 50, Claim 46 now claim 63, Claim 47 now claim 64, Claim 48 now claim 68, Claim 49 now claim 69.

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**Cancel all claims of record 36-49 and substitute new claims 50 – 69**

50 [36] An illuminating device having an overall light distribution pattern calculated to efficiently provide predetermined surface areas with a design illuminance and color, comprising:

- a) a multiplicity of light sources having respective spectral distributions and respective light distribution patterns which are directional and subtend lesser angles than those of the overall light distribution pattern, and

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